

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

United States of America

v.

~~Joseph Lino Padilla~~

Defendant

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)
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Case No: 1:21-mj-34

CONSENT TO APPEAR BY VIDEO OR AUDIO TELECONFERENCE

Pursuant to The CARES Act, H.R. 748, the Court's Standing Order 20-08, and Rule 5(f), Rule 10(c), and Rule 43(c)(1)(B) of the Federal Rules of Criminal Procedure, the Defendant hereby acknowledges that Defendant has received and/or been read the indictment, information, or petition, or motion; that said document has been reviewed by Defendant with counsel; that Defendant understands the nature of the offenses charged or the motion made; and that Defendant understands Defendant's right to appear in person for this initial appearance, motion hearing, or arraignment. Acknowledging such, the Defendant hereby knowingly and voluntarily waives Defendant's right to appear in person and hereby consents to appearance by use of video conferencing, or by audio conferencing if video conferencing is not reasonably available, for the following (check all that apply for this particular hearing):

- ☒ Initial appearance¹
- ☒ Arraignment²
- ☒ Detention hearing³
- ☐ Pretrial release revocation hearing⁴
- ☐ Misdemeanor plea or sentencing hearing⁵
- ☐ Felony change of plea hearing under Federal Rule of Criminal Procedure 11 upon a finding by the presiding district or magistrate judge that the plea cannot be further delayed without serious harm to the interests of justice
- ☐ Felony sentencing hearing under Federal Rule of Criminal Procedure Rule 32 upon a

¹ Fed. R. Crim. P. 5.

² Fed. R. Crim. P. 10.

³ 18 U.S.C. § 3142.

⁴ 18 U.S.C. § 3148.

⁵ Fed. R. Crim. P. 43(b)(2).

finding by the presiding district judge that the sentencing cannot be further delayed without serious harm to the interests of justice

- ☐ Probation or supervised release revocation hearing⁶
- ☐ Preliminary hearing⁷
- ☐ Waiver of indictment pursuant to Federal Rule of Criminal Procedure 7(b)
- ☐ Appearance under Federal Rule of Procedure 40
- ☐ Proceeding under Chapter 403 of Title 18, United States Code (commonly known as the “Federal Juvenile Delinquency Act”), except for contested transfer hearings and juvenile delinquency adjudication or trial proceedings
- ☐ Other: _____

By counsel
Joseph Padilla *Lee Davis*

Defendant¹

Lee Davis

Defendant's Attorney

Due to the COVID-19 pandemic, conformed signatures by permission will be accepted. If signed by permission, defense counsel represents that defendant gave express permission to apply his/her signature.

2/23/2021

Date

APPROVED BY:

s/ Susan K. Lee

SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE

February 23, 2021

Date

⁶ Fed. R. Crim. P. 32.1.

⁷ Fed. R. Crim. P. 5.1.